

**Joe Balyeat, CPA**

Commissioners [and Honorable Legislators] :

As a former vice-chairman of Senate Fish & Game and an avid Montana hunter, I urge your reconsideration of the use of "unlimited, but restricted mule deer permits"..... which I believe often hurt the very deer populations they are intended to help.

Over the last few years, FWP has been increasing use of "unlimited, restricted permit" districts for mule deer management. These permits aren't working, and are actually backfiring – restricting Montana hunters' freedom to respond to negative changes in deer herds by forcing the hunter to only hunt in one hunting district instead of having the flexibility to go hunt elsewhere

Under current FWP practice, any hunter who applies for these permits gets one, because the number is "unlimited". But once you get one, you are "restricted" to only hunting in that one district, the rest of Big Sky Country becomes "POSTED – NO HUNTING" to you. I and many of my fellow hunters believe you should either just eliminate these unlimited permits altogether, or at least remove the restriction on these unlimited permits, because we believe it will lead to better deer management and more hunter freedom and flexibility. Please note that we are not criticizing FWP's ability to restrict "Limited" permits to only one district.

There are multiple reasons why the current "unlimited, but restricted" permits are a bad idea:

- 1) At a recent Senate Fish & Game committee hearing, **FWP admitted that they have no evidence this approach is working...** in fact, in many of these districts the buck/doe ratio is still abysmal and herds are declining.
- 2) At the hearing FWP gave **self-contradictory** testimony – They said they believe if these districts were labeled as "limited permit" districts instead of "unlimited", that many hunters would view the "limit" as meaning these permits have higher value, *and more hunters would actually put in for these permits*. Yet, in self-contradiction, FWP apparently DOESN'T believe that when they put a one-district only "restriction" on these permits it probably also leads to hunter perception that they're getting something special with this permit, and thus causing more (rather than less) hunters to apply for the permits!
- 3) **FWP has NEVER tried even a single-district experiment to see if using "unlimited permit, non-restricted" status would achieve their stated goal** of less hunter pressure in these districts. FWP went immediately from using License Validation (which restricted mule deer hunting to a specific region) all the way to these "unlimited, but restricted" permits... They never even tried the intermediate step of requiring hunters to apply for an "unlimited, unrestricted" permit. It is our firm belief that it is not the "restriction", but rather the "prior application process" that keeps hunter numbers down in these districts... The mere process of requiring a hunter to apply months ahead of time will keep the number of hunters down... In fact, (as is implied by FWP's own testimony) we believe it's possible this "restriction" is actually leading MORE hunters to apply for these permits (rather than LESS hunters) due to the perception that these "restricted" permits must be offering "something special".
- 4) By the use of these permits, FWP is straying outside of its primary mission – they are managing people, rather than managing wildlife. And because its outside their mission, these restricted permits are even doing a poor job of managing people. **Once a district in one area is made RESTRICTED, then hunters simply spill over into neighboring districts and create overcrowding there. So then people in surrounding areas push to make their district RESTRICTED as well.** The net result is these unlimited, restricted districts have increased by about 50% just in the last 10 years, and western Montana is increasingly being carved up into tiny restricted districts where hunters lose the benefit of living in Big Sky Country, and are instead tied to only one district.... Similar to being tied to a hunting lease in states like Texas.
- 5) Even if these "Unlimited, Restricted" permits were working (which they aren't), **the downside cost of these permits harms Montana hunters significantly, and in some cases, even harms the very mule deer herds FWP wants to help.** Sick or elderly hunters would very much prefer to hunt both deer & elk on the same hunt, so they can get "more bang for their buck", with the energy required to climb a mountain. But they can't hunt both simultaneously, unless they've put in for this silly UNLIMITED permit ahead of time, and then if they want to hunt elk elsewhere (or draw a permit to hunt elk elsewhere), they can't hunt deer! Even if you're not sick or elderly, but are simply limited in the number of days you can hunt, you encounter this same problem... opportunities to hunt both elk and deer simultaneously are increasingly limited due to the fact that FWP is increasingly carving up Montana's mule deer hunting.
- 6) These **unlimited, restricted districts also restrict the flexibility of ALL Montana hunters.** Example – when you're hunting alone, you may like to hunt in a district where you can venture far from the road and be in more remote locations. But if you're hunting with your kids, or grandkids, you may want to hunt in a district closer to their home and closer to the road. But these "unlimited, restricted" permits destroy that flexibility that Montana hunters used to have. FWP has admitted that they receive many complaints from hunters about these very permits, and they also admit there is a lot of confusion and even violations regarding these restricted permits.
- 7) These **restricted districts also sometimes hurt the deer populations because they eliminate the flexibility of hunters to respond to negative changes in deer populations.** Example – last fall I quickly realized one week into the season that there were no mature bucks in my restricted district. Under normal circumstances, I would have switched to some other district and given the bucks in this district a breather to try to replenish. But because I WAS RESTRICTED TO ONLY HUNTING BUCKS IN THAT DISTRICT, with one hour to go in the season, I finally shot an immature buck in my district, Because THAT WAS MY ONLY OPTION.

For all of these reasons, please consider abandoning the use of "Unlimited, but Restricted" mule deer permits... which are clearly unsuccessful, unfriendly, inflexible, unnecessary, confusing intrusions into the freedom of Montana hunters. I urge FWP to at least experiment with a less micro-meddling approach... either go back to general season opportunity in all these districts and let the free market of Montana hunters migrate over time to less pressured districts, or at least remove the "one district restriction" from some of these unlimited areas and see if the "prior permit" process alone affords enough deterrent to keep hunter pressure down.

Sincerely,

Joe Balyeat  
539-5547

## Drawing Statistics Report (ALS30401) - DEER PERMIT

Landowner								Regular																Total Succ	Sur- plus
Resident				Non_Resident				Resident						Non_Resident											
District	Quota	Apps Succ			Apps Succ			Applicants			Successful			Applicants			Successful								
		QTA	1st	1st	QTA	1st	1st	QTA	1st	2nd	3rd	1st	2nd	3rd	QTA	1st	2nd	3rd	1st	2nd	3rd				
109-50	10	2	2	2	1	0	0	10	152	60	43	8	0	0	1	12	0	0	0	0	0	10	0		
130-50	10	2	0	0	1	0	0	10	246	131	59	10	0	0	1	4	7	1	0	0	0	10	0		
202-50	150	23	0	0	15	0	0	150	404	84	56	135	0	0	15	55	2	6	15	0	0	150	0		
204-50	99999	99999	1	1	99999	0	0	99999	172	220	122	172	220	122	99999	14	12	1	14	12	1	542	0		
210-50	50	7	19	7	5	0	0	50	736	149	57	42	0	0	5	85	6	6	1	0	0	50	0		
212-50	99999	99999	0	0	99999	0	0	99999	169	146	38	169	146	38	99999	18	18	0	18	18	0	389	0		
213-50	99999	99999	0	0	99999	0	0	99999	173	37	13	173	37	13	99999	10	0	0	10	0	0	233	0		
214-50	99999	99999	1	1	99999	0	0	99999	83	17	9	83	17	9	99999	10	0	0	10	0	0	120	0		
215-50	99999	99999	1	1	99999	0	0	99999	319	132	25	319	132	25	99999	25	6	0	25	6	0	508	0		
217-50	99999	99999	1	1	99999	0	0	99999	118	97	30	118	97	30	99999	22	18	0	22	18	0	286	0		
240-50	25	4	0	0	2	0	0	25	55	87	89	23	0	0	2	4	2	7	2	0	0	25	0		
240-51	99999	99999	0	0	99999	0	0	99999	87	208	208	87	208	208	99999	29	36	91	29	36	91	659	0		
250-50	25	4	1	1	2	0	0	25	349	302	244	22	0	0	2	54	98	30	2	0	0	25	0		
261-50	35	6	17	4	3	3	2	35	1928	1127	222	28	0	0	3	269	199	44	1	0	0	35	0		
270-50	45	7	15	6	4	5	1	45	6345	1110	176	35	0	0	4	1012	164	20	3	0	0	45	0		
281-50	99999	99999	0	0	99999	0	0	99999	138	84	43	138	84	43	99999	31	3	3	31	3	3	302	0		
291-50	30	5	13	5	3	2	0	30	1224	135	83	24	0	0	3	65	17	17	1	0	0	30	0		
291-51	30	5	0	0	3	0	0	30	163	7	3	28	0	0	3	4	0	1	2	0	0	30	0		
292-50	99999	99999	0	0	99999	0	0	99999	445	289	89	445	289	89	99999	46	8	4	46	8	4	881	0		
300-50	30	5	8	5	3	0	0	30	820	202	130	24	0	0	3	159	31	30	1	0	0	30	0		
302-50	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
312-50	75	12	3	3	7	0	0	75	886	133	68	70	0	0	7	46	16	12	2	0	0	75	0		
318-50	99999	99999	0	0	99999	0	0	99999	179	32	8	179	32	8	99999	10	1	0	10	1	0	230	0		
319-50	99999	99999	0	0	99999	0	0	99999	178	64	33	178	64	33	99999	66	3	5	66	3	5	349	0		

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permits